

HFS 46.05 Staffing.

(1) RESPONSIBILITIES AND QUALIFICATIONS OF STAFF.

(a) *Competency.* A child care worker, including the center administrator, center director, child care teachers, assistant teachers, and volunteers counted in the staff to child ratio shall be physically, mentally and emotionally able to provide responsible care for children.

Exceptions will not be granted for staff who do not meet entry-level training qualifications.

(b) Administrator.

1. The licensee may act as administrator of a group day care center. If the licensee does not act as administrator, the licensee shall designate a person or persons to be the administrator or administrators of the center. The administrator shall be responsible for the center's management, including personnel, finance, physical plant and the day to day operation of the center.

One person could fill more than one position provided that person meets the qualifications for each position and all applicable rules.

If a center wishes to have two persons filling the position of administrator, each with training in only one component (business or Early Childhood), an exception may be considered based on their plan as to how they will make decisions. Job descriptions should reflect this situation.

The Child Care Information Center has resources available to assist in writing job descriptions <http://www.dpi.state.wi.us/ccic/> or toll free at (800) 362-7252.

2. An administrator shall:

a. Be at least 21 years of age.

b. Have completed high school or its equivalent as determined by the Wisconsin department of public instruction.

Equivalent to a high school diploma means General Education Diploma (GED) or High School Equivalency Diploma (HSED).

3. Before a person assumes the position of administrator, the person shall have both of the following:

a. One year of experience as a manager or satisfactory completion of one credit or non-credit department approved course in business or program administration.

b. One year of experience as a center director or child care teacher in a licensed child care center or kindergarten or satisfactory completion of one non-credit department-approved course or one course for credit in early childhood education or its equivalent.

The Wisconsin Child Care Administrator Credential also meets these requirements

4. If the board of a parent cooperative is responsible for management of a center, the requirements under subds. 2., and 3., do not apply.

(c) Center director.

46.05(1)(c)1.

1. The licensee may act as the center director. If the licensee does not act as center director, the licensee shall designate a person or persons to be the center director for each center location.

2. The center director shall be responsible for the supervision of the planning and implementation of the center's program for children, the supervision of staff at the center, staff meetings and orientation and continuing education for the staff.

3. A center director shall be employed on one of the following schedules:

Centers defined under HFS 46.03(22g) as offering a "part-day" program must have a person who meets the qualifications and fulfills the duties of a center director. All part-day programs remain part day even when operating full time during vacations. The center director in this case is not required to be on site for a set number of hours as indicated under a. and b. below.

a. At least 10 hours a week for the exclusive purpose of carrying out center director responsibilities in a single full day center location licensed for 50 or fewer children.

b. At least 20 hours a week for the exclusive purpose of carrying out center director responsibilities in a single full day center location licensed for 51 or more children.

4. A center director shall:

a. Be at least 21 years of age.

b. Have completed high school or its equivalent as determined by the Wisconsin department of public instruction.

5. Before a person assumes the position of center director for a center licensed to serve 50 or fewer children, the person shall have completed or obtained one of the training and experience combinations shown in Table 46.05-A.

TABLE 46.05-A EDUCATION AND EXPERIENCE QUALIFICATIONS FOR THE DIRECTOR OF A CENTER LICENSED TO SERVE UP TO 50 CHILDREN WHICH MUST HAVE BEEN COMPLETED OR OBTAINED PRIOR TO ASSUMING THE POSITION		
Post-Secondary Education Including Degree, License, Credentials or Certificate		Experience in A Licensed Child Care Center Or a Kindergarten
1.	2 non-credit department-approved courses in early childhood education.	80 working days as a full-time child care teacher or assistant child care teacher or 120 working days as a half-time child care teacher or assistant teacher.
2.	2 years of credit from an institution of higher education with at least 3 credits in early childhood education or its equivalent.	80 working days as a full-time child care teacher or assistant child care teacher or 120 working days as a half-time child care teacher or assistant teacher.
3.	2 courses for credit in early childhood education or its equivalent.	80 working days as a full-time child care teacher or assistant child care teacher or 120 working days as a half-time child care teacher or assistant teacher.
4.	One year child care diploma from an institution of higher education.	80 working days as a full-time child care teacher or assistant child care teacher or 120 working days as a half-time child care teacher or assistant teacher.

TABLE 46.05-A continued

5.	An associate degree in early childhood education or child care from an institution of higher education.	80 working days as a full-time child care teacher or assistant child care teacher or 120 working days as a half-time child care teacher or assistant teacher.
6.	Child development associate (CDA) credentials issued by the council for early childhood professional recognition.	80 working days as a full-time child care teacher or assistant child care teacher or 120 working days as a half-time child care teacher or assistant teacher.
7.	30 credits from an institution of higher education, including 2 courses for credit in early childhood education.	80 working days as a full-time child care teacher or assistant child care teacher or 120 working days as a half-time child care teacher or assistant teacher.
8.	License from the Wisconsin department of public instruction to act as a pre-kindergarten or early childhood exceptional educational needs teacher.	80 working days as a full-time child care teacher or assistant child care teacher or 120 working days as a half-time child care teacher or assistant teacher.
9.	Certificate from American montessori society, association montessori international, or montessori accreditation council for teacher education.	80 working days as a full-time child care teacher or assistant child care teacher or 120 working days as a half-time child care teacher or assistant teacher.
10.	Certificate from the bureau of apprenticeship standards as a child development specialist.	80 working days as a full-time child care teacher or assistant child care teacher or 120 working days as a half-time child care teacher.

The entry-level courses that meet the requirements for family child care providers and experience as a family child care provider may be counted when evaluating the entry-level education requirements for a director of a center serving 50 or less children.

“Full-time work experience” means working directly with children for 4 or more hours per day; “half-time work experience” means providing child care for at least 2 hours per day, but less than 4 hours.

Note: Non-credit courses entitled “Introduction to the Child Care Profession” and “Skills and Strategies for the Child Care Teacher” offered by agencies approved by the department meet the training requirements as specified in Table 46.05-C.

See Appendix CC for a list of private agencies approved by the department to offer non-credit courses.

See par. (1)(f) for definition of non-credit course.

A certificate of completion from the International Montessori Society for a correspondence course in Primary Level (2-6) will meet the education requirements for a center director in a center licensed for 50 or fewer children. The experience component must still be met.

A person who holds a DPI teaching license or has a 4-year degree in education meets the qualifications as center director in a center licensed for 50 or fewer children.

See Appendix N for Wisconsin Technical College System credits.

6. Before a person assumes the position of center director for a center licensed to serve 51 or more children, the person shall have completed or obtained one of the training and experience combinations shown in Table 46.05-B.

TABLE 46.05-B

TABLE 46.05-B EDUCATION AND EXPERIENCE QUALIFICATIONS FOR THE DIRECTOR OF A CENTER LICENSED TO SERVE 51 OR MORE CHILDREN WHICH MUST HAVE BEEN COMPLETED OR OBTAINED PRIOR TO ASSUMING THE POSITION		
Post-Secondary Education Including Degree, License, Credential Or Certificate		Experience in a Licensed Child Care Center Or a Kindergarten
1.	4 non-credit department-approved courses in early childhood education or its equivalent.	2 years as a child care teacher or center director.
2.	2 years of credit from an institution of higher education with at least 12 credits in early childhood education or its equivalent.	2 years as a child care teacher or center director.
3.	4 courses for credit in early childhood education or its equivalent from an institution of higher education.	2 years as a child care teacher or center director.
4.	An associate degree in early childhood education or child care from an institution of higher education.	2 years as a child care teacher or center director.
5.	60 credits from an institution of higher education, including 4 courses for credit in early childhood education.	2 years as a child care teacher or center director.
6.	License from Wisconsin department of public instruction to act as a pre-kindergarten or early childhood exceptional educational needs teacher.	2 years as a child care teacher or center director.

The entry-level courses that meet the requirements for family child care providers and experience as a family child care provider may not be counted when evaluating the entry-level education requirements for a director of a center serving 51 or more children.

“Two years of credits in an institution of higher education” means transcript documenting a minimum of 48 credits with at least 3 credits in broad-based courses in Early Childhood Education or Child Development. “Broad-based courses” means an overview-type course, such as the non-credit or credit Early Childhood I or a credit course in child development, child psychology or covering early childhood education curriculum such as kindergarten or nursery school curriculum.

When more than one course is required and the requirement will met by transcribed courses, narrow-based courses such as “Health and Nutrition,” “Children’s Literature” or “Home-School Relations” may be accepted to fill the entry-level requirements for additional courses.

The Child Care Administrator Credential also meets the entry-level requirements for this position.

See Appendix CC for a list of private agencies approved by the department to offer non-credit courses.

(d) *Child care teacher.*

1. A child care teacher shall plan, implement and supervise the daily activities for a group of children.

2. A person who is a child care teacher shall be at least 18 years of age and have completed high school or its equivalent as determined by the Wisconsin department of public instruction.

46.05(1)(d)3.

3. Prior to assuming the position, a person hired to be a child care teacher shall be qualified in one of the training and experience combinations shown in Table 46.05-C.

TABLE 46.05-C EDUCATION AND EXPERIENCE QUALIFICATIONS FOR A CHILD CARE TEACHER WHICH MUST HAVE BEEN COMPLETED OR OBTAINED PRIOR TO ASSUMING THE POSITION		
Post-Secondary Education Including Degree, License, Credential Or Certificate		Experience in a Licensed Child Care Center Or a Kindergarten
1.	2 non-credit department-approved courses in early childhood education.	80 working days as a full-time assistant child care teacher or 120 working days as a half-time assistant child care teacher.
2.	2 years of credit from an institution of higher education with at least 3 credits in early childhood education or its equivalent.	80 working days as a full-time assistant child care teacher or 120 working days as a half-time assistant child care teacher.
3.	2 courses for credit in early childhood education or its equivalent from an institution of higher education.	80 working days as a full-time assistant child care teacher or 120 working days as a half-time assistant child care teacher.
4.	One year child care diploma from an institution of higher education.	80 working days as a full-time assistant child care teacher or 120 working days as a half-time assistant child care teacher.
5.	An associate degree in early childhood education or child care from an institution of higher education.	80 working days as a full-time assistant child care teacher or 120 working days as a half-time assistant child care teacher.
6.	Child development associate credential issued by the council for early childhood professional recognition.	80 working days as a full-time assistant child care teacher or 120 working days as a half-time assistant child care teacher.
7.	30 credits from an institution of higher education, including 2 courses for credit in early childhood education.	80 working days as a full-time assistant child care teacher or 120 working days as a half-time assistant child care teacher.
8.	Certificate from American montessori society, association montessori international or montessori accreditation council for teacher education.	80 working days as a full-time assistant child care teacher or 120 working days as a half-time assistant child care teacher.
9.	License from the Wisconsin department of public instruction to act as a pre-kindergarten or early childhood exceptional educational needs teacher.	80 working days as a full-time assistant child care teacher or 120 working days as a half-time assistant child care teacher.
10.	Certificate from the bureau of apprenticeship standards as a child development specialist.	80 working days as a full-time child care teacher or assistant child care teacher or 120 working days as a half-time child care teacher or assistant teacher.

Note: Non-credit courses entitled *Introduction to the Child Care Profession* and *Skills and Strategies for the Child Care Teachers* offered by agencies approved by the department meet the training requirements specified in item 1 in Table 46.05-C.

The first course must be a broad-based course in early childhood education or child development. "Broad-based course" means an overview-type course such as the non-credit courses "Introduction to the Child Care Profession" or "Early Childhood I" or a credit course in child development, child psychology or covering early childhood education curriculum such as kindergarten or nursery school curriculum.

46.05(1)(d)3.Note: continued

The second required course must be the non-credit "Skills and Strategies for the Child Care Teacher" or "Early Childhood II" or a course for credit. Courses for credit could include narrow-based early childhood such as "Health and Nutrition" or "Children's Literature."

Full-time work experience means working directly with children for 4 or more hours per day; half-time work experience means providing child care for at least 2 hours per day, but less than 4 hours.

Other Montessori teacher training organizations approved by the Montessori Accreditation Council (MACTE) are: American Montessori Society (AMS), National Center for Montessori Education, AMI, Montessori St. Nicholas, London Montessori Center, Montessori Institute of America, International Association Montessorians, Pan American Montessori Society. If program staff received training from a training organization approved by MACTE, this training would be acceptable.

A certificate of completion from the International Montessori Society for a correspondence course in Primary Level (2-6) will meet the education requirements for a child care teacher. The individual with such a certificate will still need to meet the experience component.

A person who holds a DPI teaching license or has a 4-year degree in education regardless of the area of education (elementary, secondary, subject specific) meets the qualifications as teacher. A copy of the DPI teaching licensing or transcript showing completion of an education major will be accepted as documentation.

Correspondence courses and on-line courses are available from technical colleges and private agencies approved to offer non-credit courses. See Appendix CC for a list of private agencies approved by the department to offer non-credit courses.

(e) Assistant child care teacher.

1. An assistant child care teacher shall work under the supervision of a child care teacher with a group of children.

2. A person hired to be assistant child care teacher shall be qualified in one of the following ways:

A Department of Public Instruction certificate as an aide or paraprofessional does not meet the entry-level qualifications for an assistant child care teacher. A person holding a DPI license as an aide or paraprofessional must document the training required under this rule.

a. The person shall be at least 18 years old and have satisfactorily completed one non-credit department-approved course in early childhood education or completes that training within 6 months after assuming the position.

Note: *Introduction to the Child Care Profession* is the name of the non-credit course approved by the Department to meet the entry level training requirements for a child care assistant teacher.

See Appendix CC for a list of private agencies approved by the department to offer non-credit courses.

b. The person shall be at least 18 years old and have satisfactorily completed one course for credit in early childhood education or its equivalent at an institution of higher education, or is enrolled in that course within 6 months after assuming the position.

46.05(1)(e)2.b. continued

Correspondence courses and on-line courses are available from a number of Wisconsin Technical College System campuses and some private agencies approved by the Department. See Appendix CC for a list of private agencies approved to offer department-approved, entry-level training.

Questions about correspondence courses should be directed to the Registry.

It is recommended to check the T-Net website at <http://www.t-net.org/> for information related to scheduled entry-level training opportunities.

Evidence of completion or current enrollment in a child care course must be available within 6 months after assuming the position.

The 40 hour family child care course taken prior to Sept. 1, 2003, may be accepted in place of the Introduction to the Child Care Profession course.

c. The person shall have satisfactorily completed an assistant child care teacher training program approved by the Wisconsin department of public instruction.

In order to successfully complete the assistant child care teacher class, high school students must get a C in the course and have 85% attendance. A DPI certificate is issued when both grade and attendance are acceptable. Licensing specialists may accept only the DPI certificate, not grade reports. See Appendix Z for examples of the certificates issued by DPI. See Appendix Y for a list of high schools approved by the Department of Public Instruction to offer the assistant child care teacher training program approved by DPI.

3. A parent serving as an assistant child care teacher in a center operated by a parent cooperative is exempt from the training requirements under subd. 2.

Parents serving as assistant child care teachers in centers other than parent co-op must meet the requirements under HFS 46.05(1)(e).

(f) *Non-credit course criteria.*

1. A non-credit course shall involve at least 36 hours of classroom participation or equivalent hours of participation for a correspondence course.

2. Non-credit courses offered to meet the non-credit course requirements specified in this subsection shall be approved by the department prior to being offered. The department may at any time withdraw its approval of a non-credit course.

The non-credit courses which have been approved by the Department as meeting the entry level training requirements include

- *Introduction to the Child Care Profession (1st broad based course for assistant teachers)*
- *Skills and Strategies for the Child Care Teacher (2nd course for teachers and directors in a center licensed for 50 or fewer children).*
- *Fundamentals of Infant and Toddler Care (persons working with children under age 2).*

Non-credit entry level courses may be taken through private agencies approved by the department or through technical colleges. All non-credit entry level courses, regardless of the sponsoring agency must have one of the above names in order to meet the requirements of the rule.

46.05(1)(f)2. continued

Beginning July 1, 2000, all persons completing a department-approved course offered by a private agency that is used to meet entry-level qualifications will be issued a certificate of completion from The Registry. This is the only documentation of successful course completion that will be accepted for department-approved courses offered by private agencies taken after 07/01/2000. See Appendix Z for a sample completion certificate.

Successful completion of entry-level classes taken at technical schools will be documented on a transcript.

High school courses that meet the entry-level training requirements will result in a certificate issued by the Department of Public Instruction – a grade report or high school transcript is not sufficient. A person holding a DPI paraprofessional or teacher aide license will need to document that they have completed department-approved entry level training.

See Appendix CC for a list of private agencies approved by the department to offer non-credit courses.

(g) *Certificate.* Beginning January 1, 1998 each administrator, center director and child care teacher hired at a center on or after January 1, 1998 shall obtain a certificate from the registry of the Wisconsin early childhood professional recognition system within 3 months after assuming the position as evidence of meeting the education and experience qualifications in this subsection.

Note: Information about how to obtain a certificate may be obtained from The Registry, 2517 Seiferth Rd., Madison, WI 53716 or by calling 608-222-1123.

The certificate from the Registry must document that the person has met the entry-level educational requirements for the position held and does not need to be renewed in order to meet the licensing rule.

Prior to the receipt of the Registry Certificate, new employees must have evidence of qualification on file.

Persons working in a school-age only program do not need to have a Registry certificate until they have worked for at least 6 months. Students enrolled at a technical college, private college or university who work in a child care program operated by the college, private college or university have an additional 3 months to obtain a registry certificate.

A person holding a DPI teacher license is not required to have a Registry certificate provided a copy of the DPI teacher license is in the person's file.

(h) *Substitutes.*

1. When a regular required staff member is absent from a center, there shall be a substitute.

If someone is scheduled to work in a classroom on a regular basis, they must be qualified. If they are replacing a regularly-scheduled employee as a substitute, the center must be able to demonstrate who the regularly-scheduled person in that classroom is during those hours. If there is no regularly-scheduled person except the "substitute" then, by default, the "substitute" is the regularly-scheduled person and must meet the qualifications for that position.

Evidence that substitutes are available may be obtained by reviewing personnel records, including HFS-64 Background Information Disclosure forms, the caregiver background check reports, health examination forms, payroll or time cards or by observation.

46.05(1)(h)2.

2. A substitute employed by the same licensee for more than 240 hours a year shall meet the qualifications of the position in which he or she is to work as a substitute or be currently enrolled in training to meet those qualifications.

3. The center director or designee shall maintain a record of the days and hours worked by each substitute child care worker.

(i) Volunteers and student teachers.

1. Volunteers and student teachers shall participate in the orientation required under sub. (2)(a).

2. A volunteer included in determining staff-to-child ratios shall meet the requirements of the position the volunteer is filling.

3. Volunteers not included in determining staff-to-child ratios shall have at least 2 hours of training in day care programming and procedures before working in the classroom. This includes volunteers working in a center operated by a parent cooperative.

The use of the HFS-64 Background Information Disclosure form is strongly recommended for volunteers who are not counted in staff-to-child ratios.

Form CFS-2027, Volunteer Training Confirmation – Group Child Care Centers is not a required form; however, use of this form will help the licensee ensure compliance with HFS 46.05(1)(i)3. The completed form should be kept on file at the center.

4. The center director or designee shall coordinate the volunteer program and keep on file a schedule of the hours of volunteers who are included in determining staff-to-child ratios.

5. Student teachers who are not employed by the day care center may not be considered by the day care center in determining staff-to-child ratios while gaining their student-teacher experience.

(j) Health qualifications.

1. Except as provided under subd. 2, persons who work directly with children, except volunteers, shall have a health examination within 12 months prior to beginning work at a specific day care center or within 30 days after beginning work at the center. The results of the examination shall be stated on a form provided by the department. The report shall be dated and signed by a licensed physician, physician assistant or HealthCheck provider. The report shall indicate that:

HealthCheck Provider means:

- 1. Physicians.*
- 2. Outpatient hospital facilities.*
- 3. Health maintenance organizations.*
- 4. Visiting nurse associations.*
- 5. Clinics operated under a physician's supervision.*
- 6. Local public health agencies.*
- 7. Home health agencies.*
- 8. Rural health clinics.*
- 9. Indian health agencies.*
- 10. Neighborhood health centers.*
- 11. Doctor of osteopathy, M.D., D.O., P.A.*

46.05(1)(j)1. continued

The professional identification of the person signing the form should be clearly stated on the form, i.e., M.D., R.N., P.A., etc.

The professional affiliation should also be stated if other than an M.D. or P.A. working under the supervision of an M.D.

See HFS 46.07(6)(k)3.

Chiropractors are not authorized to give physical examinations.

a. The person is free from any communicable disease reportable under ch. HFS 145 which presents a safety or health risk to children, including tuberculosis, and which is transmitted through normal contact.

Per Division of Public Health, if the skin test is positive, an evaluation by a physician should be done rather than a TB x-ray. This evaluation must conclude that the person does not have active TB in order for the person to continue in employment.

b. The person is physically able to work with young children.

Note: The Department's form CFS-0054, Child Care Provider Staff Health Report, is used for recording physical examination information. Information on how to obtain the form is in Appendix E.

2. The health examination requirement under subd. 1. does not apply to a person who requests from the department in writing an exemption based upon adherence to religious belief in exclusive use of prayer or spiritual means for healing in accordance with a bona fide religious sect or denomination.

3. No licensee, employee, volunteer, visitor or parent with symptoms of serious illness or a communicable disease transmitted through normal contact reportable under ch. HFS 145 which presents a present safety or health risk to children may be in contact with the children in care.

4. a. No licensee, employee, volunteer, visitor, or parent whose behavior gives reasonable concern for the safety of children may be in contact with the children in care.

b. The department may require a licensee, employee or other person in contact with the children whose behavior gives reasonable concern for the safety of children to submit to an examination by a licensed mental health professional as a condition of licensure or employment.

Note: See also s. HFS 46.11(1)(f) which requires a written statement from a physician or licensed mental health professional when there is reason to believe that the physical or mental health of a person may endanger children in care.

5. No person with a health history of typhoid, paratyphoid, dysentery or other diarrheal disease may work in a center until it is determined by appropriate tests that the person is not a carrier of the disease.

(2) STAFF DEVELOPMENT.

(a) *Orientation.* Except as provided under subd. 2., each center shall develop and implement a written orientation program which all new employees, substitutes and regularly scheduled volunteers shall complete and document within their first week at the center. The orientation program shall cover all of the following:

46.05(2)(a) continued

See HFS 46.04(5)(a) for documentation of orientation. Orientation must be documented through the use of an orientation form which is initialed and dated by the staff person and trainer. The department orientation form CFS-2026 Staff Orientation Checklist – Group Child Care Centers is recommended, but is not required.

1. Review of this chapter.
2. Review of center policies required under s. HFS 46.04(2)(h) and (i).

Centers are required under HFS 12.07 to include in the personnel or operating policies a requirement for caregivers to notify the center as soon as possible, but no later than the person's next working day when any of the following occur:

- a. The person has been convicted of a crime.*
- b. The person has been or is being investigated by any governmental agency for any other act, offense or omission including an investigation related to the abuse or neglect, or threat of abuse or neglect, to a child or other client or an investigation related to misappropriation of a client's property.*
- c. The person has a governmental finding substantiated against them of abuse or neglect or a client or misappropriation of a client's property.*

This provision must be shared with caregivers at the time of orientation as part of the review of the personnel policy.

All group centers are required to have a procedure for notifying parents if a child does not show up as scheduled without prior notification. The procedure must be shared with staff during orientation as required under HFS 46.05 (2)(a)2; must include how and when parents will be notified; and should include how long after a child's normal or scheduled starting time the notification will be attempted. (For instance, a child is scheduled to arrive at 7:30 a.m., center waits until 9 a.m. to notify parent if the child did not arrive.). The procedure does not require that the center talk with or track down a parent to notify. Messages can be left on an answering machine or voice mail or with an emergency contact person. We recommend that the center document attempts to notify a parent.

If center provides transportation services from home to center, procedure should address how the center is to be notified that a child is not attending that day (i.e., sign in the window of the home that child is not attending, prior notification to the center that child not attending, a second adult on the vehicle walks to the door to pick up the child, told at the door that child is not attending, etc.). If the center is not notified that a child will not attend, the parent must be notified if the child does not arrive in the classroom as expected.

Licensing specialists may monitor the parental notification procedure for compliance by talking with center director or staff about what the procedure entails and reviewing documentation of the notification.

3. Review of the center contingency plans required under s. HFS 46.04(2)(i), including fire and tornado evacuation plans and the operation of fire extinguishers.

Refer to contingency plans for fire, tornado and other emergencies.

4. First aid procedures.

Procedure is intended to be:

- *Emergency procedures followed in bringing a child to emergency medical care.*
- *Routine procedures for treatment of minor injuries.*

46.05(2)(a)4. continued

- *First aid measures for serious accidents.*
- *Planned source of emergency medical care (summary of several rules).*

The first aid training does not mean a Red Cross first aid course is required. The First Aid Chart prepared by the Committee on Accident Prevention and the Subcommittee on Accidental Poisoning, American Academy of Pediatrics is recommended as an appropriate training tool. Contact the American Academy of Pediatrics at (888)227-1770 or www.aap.org/bookstore.

5. Job responsibilities in relation to the job description.

6. Training in the recognition of childhood illnesses and infectious disease control, including handwashing procedures and universal precautions for handling body fluids.

Note: A copy of the universal precautions may be obtained from the Child Care Information Center by calling 800-362-7353 or from the Occupational Health Section, Bureau of Public Health, 1 W. Wilson St., Madison, Wisconsin 53703.

7. Schedule of activities of the center.

8. Review of child abuse and neglect laws and center reporting procedures.

9. The procedure for ensuring that all child care workers know the children assigned to their care and their whereabouts at all times.

Any group center that transports children (field trips, center/school/home to center/school/home) is required to have a procedure to track the whereabouts of children being transported under HFS 46.05(2)(a)9 and 46.05(3)(f). Procedure should be included in the staff orientation policy; should include how center will ensure that all children have exited the vehicle into the physical care of a staff person or another responsible person (e.g., physical walk through of the vehicle, alarms at the rear of the vehicle that require a person to walk to the back to manually shut off alarm, check off list of children who are on the vehicle and who have left the vehicle and been delivered to a caregiver); and should be followed whenever children are being transported either in center-owned vehicles or center-contracted transportation.

The only way to ensure that a driver's license has not been suspended or revoked (and is therefore valid) is through a check of the person's driving record maintained by the Department of Transportation. The Department recommends that driving records be obtained annually. Note: License suspensions and revocations do not result in loss of the actual driver license card. The person may have a driver's license that has not expired and still have the license suspended or revoked. The only way to determine if a license has been suspended or revoked it to see a copy of the person's driving record.

10. Child management techniques.

11. Procedure for sharing information related to a child's special health care needs including any physical, emotional, social or cognitive disabilities with any child care worker who may be assigned to care for that child throughout the day.

Note: The licensee may use the Department's form CFS-2026, Group Child Care Staff Orientation Checklist for documenting staff orientation. Information on how to obtain the Department's form is in Appendix E.

46.05(2)(a)12.

12. Review of procedures to reduce the risk of sudden infant death syndrome prior to an employee's or volunteer's first day of work, if the center is licensed to care for children under one year of age.

Note: The licensee may use the Department's form CFS-2026, Group Child Care Staff Orientation Checklist for documenting staff orientation. Information on how to obtain the Department's form is in Appendix E.

(b) *Staff meetings.* To ensure that staff have the opportunity to receive pertinent information and clarification of problems and issues, each center shall conduct staff meetings at least 9 times in a calendar year or one time for each month of center operation and document that staff meetings have been held.

Centers that operate for 10-12 months shall conduct staff meetings a minimum of 9 times in a calendar year.

Centers that operate for 9 months or less shall conduct a staff meeting for each month of operation.

Staff meeting dates shall be available to the licensing specialist.

Only that portion of a staff meeting related to training of child care staff may be counted as continuing education. Center business topics do not count towards continuing education hours.

(c) *Continuing education.*

There is no formal approval process for continuing education. If the licensing specialist has a question about the appropriateness of a continuing education experience, the decision on whether to count that experience should be based on the individual's response to the question, "How does this continuing education experience/course apply to your position?" Continuing education that relates to another position with the center (such as a director's responsibilities) may be counted as continuing education even if it does not directly relate to the care of children. Continuing education experiences that help qualify a child care worker for another position in a center may be counted as part of the required continuing education until that person assumes the new position. For example, a child care teacher could take the courses for center director and count those courses toward continuing education while remaining a teacher in the center. Once the person assumes a director position, those courses would count toward meeting the entry-level qualifications as a center director.

1. Each administrator, center director and child care worker who works more than 20 hours a week shall participate in at least 25 hours of continuing education each year.

Whether centers choose to use a continuing education year individual to each staff (e.g., 1 year from date of hire) or they choose to use a common continuing education year (e.g., the fiscal year or the calendar year), it is recommended that the same type of continuing education year be used consistently for all staff.

2. Each administrator, center director and child care worker who works 20 or fewer hours a week shall participate in at least 15 hours of continuing education each year.

In determining the number of hours an employee works, all paid hours should be used.

3. Continuing education hours may be used to meet the continuing education requirement during the year in which the hours are earned and for the 2 years following that year.

46.05(2)(c)4.

4. Continuing education courses taken for credit through an institution of higher education may be used to meet the continuing education requirement during the year the credits were earned and for the following 2 years.

See Appendix N for credit to hours conversion.

5. Assistant child care teachers who are currently enrolled in their first entry level course are not required to earn continuing education hours for that calendar year.

6. All staff members in regular contact with children shall obtain and maintain a current certificate of completion for infant and child cardiopulmonary resuscitation within 6 months after beginning to work with children. The time spent obtaining or renewing cardiopulmonary resuscitation training may be counted towards the required continuing education hours.

Substitute teachers are not required to have CPR training until they need to be qualified for the position.

All staff (employees) in regular contact with children in care are required to have CPR training. For example, if a cook, maintenance person or administrative assistant has regular contact with children, then that cook, maintenance person or administrative assistant would need CPR training. Regular contact means that the person comes into contact with children on a regular basis, even if that contact is in a classroom supervised by teaching staff. Student teachers and volunteers who are not counted in the staff-to-child ratios are not considered staff and do not need to have CPR training.

If the center does not serve infants, the CPR training can be child/adult CPR only.

The rules do not specify a specific type of CPR training other than that the training must be Infant/Child CPR. The training must result in a certificate of completion. If the certificate of completion does not have a date specifying the length of time for which it is valid, the CPR training must be renewed every year.

7. Types of training acceptable to meet continuing education requirements shall be limited to:

a. Formal courses resulting in credits or continuing education units.

See Appendix N for credit to hours conversion.

b. Workshops, conferences, seminars, lectures, correspondence courses and home study courses.

c. Training offered by the child care center through the use of guest or staff trainers.

d. Documented observation time in other early childhood programs.

8. Continuing education experiences may be in the areas of early childhood education, child development, child guidance, health, caring for children with special needs, first aid, nutrition as it pertains to child development, supervision of staff or the business or administrative aspects of the operation of a child care center or in communication skills.

9. Independent reading and watching of educational materials may be counted for up to 5 hours of continuing education per year for each person required under par. (c)1. to have 25 hours of continuing education, and up to 2.5 hours of continuing education per year for each person required under par. (c)2. to have 15 hours of continuing education.

46.05(2)(c)9. continued

This includes book reports, magazine article reviews and reviews of video tapes pertaining to child care issues. A report on the video, book, etc., that includes at least the information requested on the suggested format CFS-2114 Continuing Education Record – Independent Reading/Video Viewing, must be completed and placed in the employee file. See Appendix E for instructions for obtaining department forms.

Time spent doing research in the CDA process can be counted as a part of these allowed hours.

Time spent putting together the portfolio in the CDA process does not count toward continuing education.

A staff trainer is one who has received training or who has developed expertise in a special area and who shares that expertise with other staff through a formal presentation. A staff trainer may not count the time spent providing a presentation towards the continuing education requirement, but the time spent gathering information for use during the presentation may be counted.

10. Each administrator and center director shall complete at least 10 hours of training in supervision or personnel management within one year of assuming the position as part of the annual continuing education requirement, if they have not previously received that training.

If the center administrator or center director bases his or her business qualifications on experience instead of an approved course, the person must take 10 hours of training in supervision or personnel management. This applies to all center administrators and center directors.

Any of the courses in the administrator credential can be used to meet the requirement for the 2 additional courses needed for a center director in a program licensed for 51 or more children.

This 10 hours may include the department-approved 10-hour Administrator's course or through a combination of training opportunities such as conferences, workshops or correspondence courses.

Note: The licensee may use either the Department's form CFS-0053A, Child Care Staff Continuing Education Record, or the licensee's own form to document the completion of continuing education. Information on how to obtain the Department's form is in Appendix E.

(d) *Food service personnel orientation and training.* The center shall provide food service personnel with the orientation under par. (a) and shall document annual training of at least 4 hours in kitchen sanitation, food handling and nutrition.

Wisconsin Technical College System offers food handler courses although the rule does not require a formal course. The USDA, Child Adult Care Food Program offers frequent training to centers who are receiving USDA Child/Adult Care Food Program funding.

(3) SUPERVISION.

(a) At least one child care teacher shall supervise each group of children.

This rule must be used in relation to the definition of group. When only one child care worker is required for the number of children in care, that person must meet the qualifications of a child care teacher. When staff-to-child ratios require a second child care worker with a group, that person must meet at least the qualifications of an assistant child care teacher except in parent co-ops. See HFS 46.05(1)(e)3 for the rule relating to parents serving as an assistant child care worker in a parent cooperative.

46.05(3)(a) continued

An assistant child care teacher may remove part of the group for individualized activities while working under the supervision of the child care teacher.

(b) Assistant child care teachers who have completed the training required for the position may provide supervision to children in full day care centers for opening and closing hours, not to exceed the first 2 hours and the last 2 hours of center operation.

(c) Each child shall be closely supervised by a child care worker.

See definition HFS 46.03(30) and also 46.05(4)(e) supervision during napping.

Video cameras may not be used in lieu of staff to supervise children.

Each child up to the maximum age for which the center is licensed shall be provided supervision by a qualified staff person. Although there may be brief periods of time that a child 8 years of age or older may not be within sight and sound [See HFS 46.095(4)(a)3], at no time should staff allow any child, or group of children, to be in jeopardy by not knowing where they are or what they are doing.

(d) A child care worker may not provide care to children at the center more than 10 hours in any 24-hour period.

(e) A child may not be in care more than 12 hours in any 24-hour period.

An exception may be granted to a child care center for a child or children to be in care for more than 12 hours in a 24-hour period if a local business or corporation operates a 12-hour work shift for their employees or if the department determines that granting an exception would support the circumstances and the family. The exception does not need to be individual to each child if the exception is granted in relation to employees of a specific business. A written parental request for care in excess of 12 hours must be on file at the center.

(f) The center shall implement a procedure to ensure that the number and names of children in care are known to assigned child care workers at all times.

At any time throughout the day (hours of operation), each classroom staff must have a written or documented system to determine how many children are present and the names of the children that are present. If a child does not arrive as scheduled and the center was not previously notified of the child's absence, the center should notify the parent to let them know the child has not arrived. This procedure should be included in the staff orientation policy. See HFS 46.04(6)(b).

If a center transports children, the procedure must include a provision for tracking children during transportation until the child is delivered to a responsible adult. Monitoring for compliance with the transportation tracking procedure can be done through a conversation with the driver of the vehicle, an inspection of the vehicle, observing children arriving and departing and discussion with center staff.

If a child is missing, see HFS HFS 46.04(3)(i).

(g) A child may not be released to any person who has not been previously authorized by the parent.

The center may accept a fax or telephone call. The department recommends documentation of the telephone call and that identification of the person picking up a child was checked.

46.05(4)

(4) STAFFING AND GROUPING.

(a) The maximum number of children in a group may not exceed the number specified in Table 46.05-D.

(b) The ratio of child care workers to children may not be less than the minimum number of child care workers to children specified in Table 46.05-D.

**TABLE 46.05-D
MAXIMUM GROUP SIZE AND MINIMUM NUMBER OF CHILD CARE WORKERS IN
GROUP DAY CARE CENTERS**

Age of Children	Minimum Number of Child Care Workers to Children	Maximum Number of Children in a Group
Birth to 2 Years	1:4	8
2 years to 2½ Years	1:6	12
2½ Years to 3 Years	1:8	16
3 Years to 4 Years	1:10	20
4 Years to 5 Years	1:13	24
5 Years to 6 Years	1:17	32
6 Years and Over	1:18	32

(c) When 8 or fewer children are present in a center, there shall be a second adult available within 5 minutes for emergencies. The center shall maintain a signed and dated statement from that person, including address and telephone number, certifying that the person is available and agrees to serve if needed.

Current availability should be updated periodically to confirm the person's continuing availability. The address should be evaluated in terms of distance and length of time which would be required to reach center in an emergency. Staff members must be informed about and have access to current contact information for the emergency contact person. Telephone confirmation with the second adult may be utilized as a compliance check.

(d) Maximum group size does not apply to field trips, outdoor play areas, pools and areas of the center reserved exclusively for eating, but staff-to-child ratios shall be maintained in those settings.

This rule applies to all age groups, including infants and toddlers.

An area of the center that is used for other purposes (i.e. a classroom or large motor room) throughout the day may be reserved exclusively for eating at designated times. Maximum group size does not apply when the room is used for eating.

(e) During naptime, an adjustment in group size and staff-to-child ratios in Table 46.05-D may be made as follows:

1. One child care worker shall be within sight or sound of each group of sleeping children. If at least one child is awake, sight and sound supervision of awake children is required.

Electronic listening devices may be allowed for supervising sleeping children under 2 years of age who sleep in cribs. Consideration should be given to the quality of the device, proximity/accessibility of staff and noise levels in other areas that may interfere with staff's ability to hear.

46.05(4)(e)2.

2. Adult-to-child ratios shall be maintained in the center during naptime.

Support staff such as cooks, clerical staff, custodians or the center director may be counted in the adult-to-child ratios during naptime providing the staff person is aware that they may be called upon, has been oriented to his/her responsibilities and agrees to be available during that time. A support staff used to maintain ratios during naptime may be counted for one position at a time. Verification of a person's awareness that the center is using that person to count in the staff-to-child ratio during naptime may be made through interview or written documentation.

As children awaken from nap, child care workers must provide close supervision to the awake children and maximum group size and staff-to-child ratios must be met at all times. For example, when infants and toddlers are sleeping, 2 qualified staff persons must supervise the group of children as soon as the 5th child awakens.

Also see HFS 46.03(30) for definition of supervision

3. Maximum group size requirements do not apply to napping groups.

When a center has a separate nap room for infants and toddlers, maximum group size does not apply and one child care worker must be within sight or sound. See HFS 46.05(4)(e).

(f) When there is a mixed-age group, the staff-to-child ratio shall be adjusted on a prorata basis, according to age.

If the group is made up of all school-age children (age 5 and above), it is not considered a mixed-age group and the maximum group size may not be more than 32 children with 2 staff members. See HFS 46.03(27).

Note: The licensee may use the Department's form CFS-0078, Child Care Staff-Child Ratio Worksheet – Group Child Care Centers, to adjust the staff-to-child ratio. Information on how to obtain the Department's form is in Appendix E.

See Appendix I Child Care Staff-to-Child Ratio Worksheet.

When using the prorata worksheet in Appendix I of HFS 46 Licensing Rules for Group Child Care Centers, any total numerical weight below .05 is considered statistically insignificant and should be dropped. If the total numerical weight is 1.05 or above, two staff persons are required. If the total numerical weight is 1.04, drop the .04 and only 1 staff member is required.

(g) When infants and toddlers are part of a mixed-age group, the size of the group may not exceed 8.

(h) When the group of children is a mixed age group of children 2 years and older, the group size shall be determined by the number of children that can be cared for by 2 child care workers as determined by the staff-to-child prorata requirement under par. (f).

(i) In a center with 9 or more children present, there shall be at least 2 adults available in the center at all times. At least one of the adults shall be a child care worker directly involved in the supervision and care of the children.

Where nine or more children are present in a center, but a second worker is not required by the staff-to-child ratio, a second adult must be available in the building, such as secretary, minister, cook, etc. The second adult should be aware that they may be asked for assistance in the case of an emergency.

46.05(4)(j)

(j) When 9 or more children are on a field trip there shall be at least 2 adults accompanying the children and the staff-to-child ratios in Table 46.05-D shall be maintained. At least one of the adults shall be a child care teacher.

(k) Support staff, such as clerical, housekeeping and food service staff, may only be considered in determining the staff-to-child ratios:

1. During those hours when they give full attention to the care and supervision of children.
2. If they meet the qualifications for a child care worker.

(L) Child care workers shall be free of non-classroom duties when they are counted in meeting the staff-to-child ratios.

Classroom duties could include routine daily housekeeping in the classroom such as dusting, floor sweeping, table/chair washing, straightening the room, putting out bag lunches with milk, preparing snack in the room, etc., if these are part of the job responsibility prescribed by the center.

Non-classroom duties include floor scrubbing, mopping, window washing, wall painting or washing, floor wax removal and other major tasks which prevent the child care worker from giving full time and attention to the children in care.

In centers where space used by children is used for other purposes after the hours of operation, prohibited non-classroom duties include moving furnishings and equipment into storage before children have departed.

If support staff are used as child care workers, the schedule of differing job responsibilities in relation to staff-to-child ratios must be determined. An example may be a child care worker who prepares a snack or meal which requires no more than 10 minutes time and who is immediately accessible in case of emergency is still considered to be a child care worker while performing these tasks. If food preparation takes more than 10 minutes and/or removes the child care worker from immediate availability, the child care worker is considered to be support staff for that time period and does not count in determining staff-to-child ratios.

A qualified child care worker is not counted in ratio during times he/she is cooking, typing, or cleaning bathrooms, etc.

(m) Children of staff who attend the center and who are on the premises for supervision and care shall be included in determining group size and staff-to-child ratios.